



PTO/SB/64 (10-05)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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DAG
IFW**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**Docket Number (Optional)
MICS:0120 (03-0231)

First named inventor: Duc V. Ho et al.

Application No.: 10/797,240

Art Unit: 2827

Filed: March 10, 2004

Examiner: Le, Thong Q.

Title: METHOD AND APPARATUS FOR ACHIEVING LOW POWER CONSUMPTION DURING POWER DOWN

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

Other than small entity – fee \$ 1,500.00 (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of _____ (identify type of reply):

has been filed previously on _____.
 is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ 1,700.00.
 has been paid previously on _____.
 is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

3. Terminal disclaimer with disclaimer fee

- Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.



Signature

March 27, 2006

Date

Robert A. Manware

48,758

Typed or printed name_____
Registration Number, if applicable_____
Fletcher Yoder

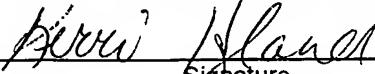
(281) 970-4545

Address_____
Telephone Number_____
P.O. Box 692289, Houston, TX 77269-2289_____
AddressEnclosures: Fee Payment Reply Terminal Disclaimer Form Additional sheets containing statements establishing unintentional delay Other: PTO-2038**CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]**

I hereby certify that this correspondence is being:

Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

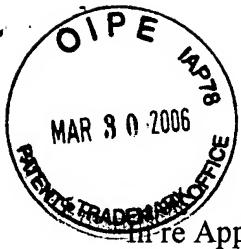
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March 27, 2006_____
Date


Signature

Kerri Hyland

Typed or printed name of person signing certificate



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Duc V. Ho et al.

Serial No.: 10/797,240

Filed: March 10, 2004

For: METHOD AND APPARATUS
FOR ACHIEVING LOW POWER
CONSUMPTION DURING POWER
DOWN

§ Group Art Unit: 2827

§ Examiner: Le, Thong Q.

§ Atty Docket: MICS:0120/FLE
03-0231

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF TRANSMISSION OR MAILING
37 C.F.R. 1.8

I hereby certify that this correspondence is being transmitted by facsimile to the United States Patent and Trademark Office in accordance with 37 C.F.R. 1.6(d) or is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:

March 27, 2006

Date

Kerri Hyland

Kerri Hyland

Sir:

**STATEMENT ACCOMPANYING PETITION FOR REVIVAL OF
APPLICATION UNDER 37 C.F.R. § 1.137(b) FOR UNINTENTIONAL ABANDONMENT**

In accordance with 37 C.F.R. § 1.137(b), Applicants hereby petition for revival of the above-referenced patent application for unintentional abandonment. Applicants hereby state that the entire delay in filing the present petition and the submission of the issue fee was unintentional. As indicated in the Transmittal Letter for the Submission of Issue Fee filed by Applicants on August 26, 2005, and reiterated in the Petition to Withdraw Holding of Abandonment under 37 C.F.R. § 1.181(a), filed by Applicants on March 2, 2006, Applicants authorized the Director to charge the required issue and publication fees for the above-referenced application to Micron deposit account No. 13-3092.

However, due to the large number of filings and payments of issue fees due in September and October of 2005, the aforementioned deposit account was depleted to a point such that the requisite fees due

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03 FC:1504
04 FC:8001

1400.00 OP
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for the above-referenced application were unable to be charged. Because sufficient funds were unavailable at the time the PTO charged the deposit account, the application went abandoned. Once Applicants were notified of the abandonment, a petition was filed to withdraw the holding of abandonment. The Petition to Withdraw Holding of Abandonment was denied by the PTO. Accordingly, the present Petition for Revival of Application is being submitted along with the present statement indicating that the abandonment of the application was unintentional. Applicants respectfully request favorable consideration of the present petition.

The Commissioner is authorized to charge the requisite fee of \$1,500.00 for the Petition for Revival, \$1,400.00 for the issue fee, \$300.00 for the publications fee, \$3.00 for one soft copy of the patent, and any additional fees which may be required to the credit card listed on the attached PTO-2038. However, if the PTO-2038 is missing, if the amount listed thereon is insufficient, or if the amount is unable to be charged to the credit card for any other reason, the Commissioner is authorized to charge Deposit Account No. 06-1315; Order No. MICS:0120/FLE (03-0231).

Respectfully submitted,



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Date: March 27, 2006